

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3162

IN THE MATTER OF:

Served May 3, 1988

Application of MERCY AMBULETTE )  
SERVICES, INC., for a Certificate )  
of Public Convenience and Necessity)

Case No. AP-88-12

By application filed April 18, 1988, and amended April 28, 1988, Mercy Ambulette Services, Inc. ("MASI" or "applicant"), 1/ seeks a certificate of public convenience and necessity to transport transportation-disadvantaged persons in special operations between health care facilities in the Metropolitan District, on the one hand, and, on the other, points in Washington, D.C., Montgomery and Prince George's Counties, Md., and Arlington, Va. 2/ 3/

Applicant is a newly-formed District of Columbia corporation formed, inter alia,

[t]o transport "transportation-disadvantaged" persons over irregular routes in special operations between points in Washington, D.C., Montgomery and Prince George's Counties, Maryland, and Arlington, Virginia. [Articles of Incorporation, p. 1.]

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1/ The application was filed by "Clifford Cunningham trading as Mercy Ambulette Services, Inc.," and signed by Clifford Cunningham as president of Mercy Ambulette Services, Inc. Under these circumstances, the corporation would be considered the applicant.

2/ The application describes the special operations authority sought as follows: "[t]ransportation-disadvantaged persons between Health-Care facilities in the Metropolitan District. Areas to include Montgomery Co., Prince George's Co., Arlington Co., and the District of Columbia." A map of the Metropolitan District is attached as Exhibit A. The scope of the application has been interpreted in light of the limitations of applicant's articles of incorporation. If this interpretation does not comport with applicant's intention, applicant is directed to inform the Commission within 10 days of the service date of this order.

3/ To the extent this application could be interpreted to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

MA SI would provide the proposed service daily between 8 a.m. and 10 p.m. using two vans of unspecified seating capacity and modified with ramps and "floor secured wheelchair positions." It appears that the vehicles would be leased. Applicant's proposed tariff lists "private rates" as follows:

Regular Hours: Monday through Friday, 8:00 AM to 6:00 PM

One Way:	\$20.00
Round Trip:	\$40.00

(Rates effective up to ten (10) miles. Additional mileage billable at \$1.00 per mile.)

Premium Hours: Monday through Friday - 6:00 PM to 10:00 PM,  
Saturday and Sunday - 8:00 AM to 10:00 PM

One Way:	\$25.00
Round Trip:	\$50.00

(Additional time in excess of one (1) hour billable at \$1.00 per hour.)

With the application, a projected operating statement covering the first 12 months of proposed operations estimates revenues from operations <sup>4/</sup> of \$73,473 and operating expenses for the same period of \$73,898, before lease expense for revenue vehicles. Applicant's president submitted a personal financial statement indicating his net worth and a cash flow projection for the first 12 months of operations indicating that the corporation may have equity of \$10,000 and a shareholder's loan of \$30,000. Because applicant is a corporation, MASI will be directed to submit a current corporate balance sheet.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if the applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules and regulations and to determine whether the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-88-12 is hereby scheduled to commence Thursday, June 9, 1988, at 9:30 a.m. in the Hearing Room of the Commission, 1625 I Street, N.W., Room 314, Washington, D.C. 20006.

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<sup>4/</sup> Although these revenues are listed as being from "charter service" we note this is an application for "special operations," and we shall interpret these projected revenues as being from that latter source.

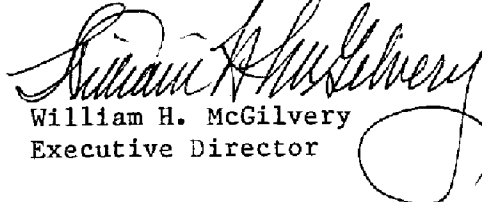
2. That Mercy Ambulette Services, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application and the hearing thereon in the form prescribed by the staff of the Commission no later than Wednesday, May 11, 1988, and shall present at the hearing an affidavit of publication.

3. That Mercy Ambulette Services, Inc., shall file with the Commission no later than Friday, May 27, 1988, an original and four copies of a current corporate balance sheet.

4. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, May 27, 1988, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Albert R. Hopkins, Jr., Esq., 2041 Martin Luther King, Jr. Avenue, S.E., Suite 402, Washington, D.C. 20020.

5. That Mercy Ambulette Services, Inc., is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than Friday, May 27, 1988.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director